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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/791,495	03/01/2004	Paul J. Wehrenberg	APL1P299/P3222	1871

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EXAMINER	
NGUYEN, HUNG T	

ART UNIT	PAPER NUMBER
2612	

DATE MAILED: 05/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/791,495	WEHRENBERG, PAUL J.	
	Examiner	Art Unit	
	HUNG T. NGUYEN	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 May 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-7,9-16,18-22,24 and 34-42* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) *1-7,9-16,18-22,24 and 34-42* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *01 March 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. In the claims: Claims 25-33 are non elected claims & withdrawn which must be cancelled in the next office action.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-4, 6-7, 9-12, 14-16, 18-22, 24 & 34-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al. (U.S. 6,970,095) in view of Freeman WO 00/39602.

Regarding claim 1, Lee discloses a theft device system (10) for detecting loss and location of portable communication device as a laptop computer or cellular phone (12) [figs.1-4, col.1, line 59 to col.2, line 14 and col.4, lines 10-32] comprising:

- a motion sensor in a form of accelerometer (20) is attached to the laptop / cellular phone (12) for monitoring the theft condition [fig.2, col.1, line 59 to col.2, line14 and col.4, lines 10-32];
- the cellular phone (12) having alarm device (24) to activate an alarm signal (24) when the frequency of the acceleration signal **meets a predetermined criteria** as providing

audible signal for detecting theft condition by the motion sensor (20) and a controller in a form of processor (22) connects with filtering circuit (36) to determine the frequencies of the acceleration signal provided by accelerometer (20) and to filter out any frequency indicate of movement of the laptop (12) as protecting the objects from thefts [figs. 2-4, col.2, lines 5-14, lines 27-56 and col.4, lines 18-67];

- the controller / processor (22) may recognize the theft conditions by determine & analysis the frequency of the acceleration signal output as the frequency in the ranges between [0.5 to 2 Hz] by the filtering circuit (36), **the alarm device (24), monitor screen (fig.1)** will be activated ONLY when the analysis of the acceleration reveals a possible theft event [figs. 2-4, col.4, line 33 to col.5, line 14, col.7, lines 3-10 and col.10, lines 27-47] without mention the theft device system (10) having display a graphical user interface for a user of the portable electronic device as claimed by the applicant.

Furthermore, Freeman teaches a locating portable computer as primary deterrent to a theft / loss / stolen which comprising a portable computer (112) having processor connects to a visual screen (217) / audio alarm [figs.1-2, page 5, lines 1-15, page 9, line 24 to page 10, line 4] and also authorization code / password, input data (216) to arm or disarm the theft system (112) [page 5, lines 6-15, page 10, lines 12-27].

Therefore, it would have been obvious to one having ordinary skill in the art to use the teaching of Freeman in the system of Lee for storing theft parameter inputs & providing multi alarm devices include graphical image signals to the users as detecting the theft status.

Regarding claims 2-4, Lee discloses the accelerometer (20) is attached to the laptop / cellular phone (12) for monitoring the theft condition [fig.2, col.1, line 59 to col.2, line14 and col.4, lines 10-32];

- the cellular phone (12) having alarm device (24) to activate an alarm signal (24) when the frequency of the acceleration signal **meets a predetermined criteria** as providing audible signal for detecting theft condition by the motion sensor (20) and a controller in a form of processor (22) connects with filtering circuit (36) to determine the frequencies of the acceleration signal provided by accelerometer (20) and to filter out any frequency indicate of movement of the laptop (12) as protecting the objects from thefts [figs. 2-4, col.2, lines 5-14, lines 27-56 and col.4, lines 18-67];

- the controller / processor (22) may recognize the theft conditions by determine & analysis the frequency of the acceleration signal output as the frequency in the specified ranges between [0.5 to 2 Hz] by the filtering circuit (36), the alarm device (24) will be activated ONLY when the analysis of the acceleration reveals a possible theft event [figs. 2-4, col.4, line 33 to col.5, line 14, col.7, lines 3-10 and col.10, lines 27-47].

Regarding claims 6-7 & 15-16, The reference of Lee does not specifically mention the controller unit connects with alarm device as visual signals as claimed by the applicant because that is old and well known in the art.

Furthermore, Freeman teaches a locating portable computer as primary deterrent to a theft / loss / stolen which comprising a portable computer (112) having processor

connects to a visual screen (217) / audio alarm [figs.1-2, page 5, lines 1-15, page 9, line 24 to page 10, line 4] and also authorization code / password, input data (216) to arm or disarm the theft system (112) [page 5, lines 6-15, page 10, lines 12-27].

Therefore, it would have been obvious to one having ordinary skill in the art to use the teaching of Freeman in the system of Lee for providing multi alarm devices include graphical image signals to the users as detecting the theft status.

Regarding claim 9, Lee discloses a theft device system (10) for detecting loss and location of portable communication device as a laptop computer or cellular phone (12) [figs.1-4, col.1, line 59 to col.2, line 14 and col.4, lines 10-32] comprising:

- a cellular phone (12) having a housing for holding and covering semiconductor components is inherently [fig.1];
- the cellular phone (12) having alarm device (24) to activate an alarm signal (24) when the frequency of the acceleration signal **meets a predetermined criteria** as providing audible signal for detecting theft condition by the motion sensor (20) and a controller in a form of processor (22) connects with **filtering circuit (36)** to determine the frequencies of the acceleration signal provided by accelerometer (20) and to filter out any frequency indicate of movement of the laptop (12) as protecting the objects from thefts [figs. 2-4, col.2, lines 5-14, lines 27-56 and col.4, lines 18-67];
- the controller / processor (22) may recognize the theft conditions by determine & analysis the frequency of the acceleration signal output as the frequency in the ranges between [0.5 to 2 Hz] by the filtering circuit (36), **the alarm device (24), monitor**

screen (fig.1) will be activated ONLY when the analysis of the acceleration reveals a possible theft event [figs. 2-4, col.4, line 33 to col.5, line 14, col.7, lines 3-10 and col.10, lines 27-47] without mention the theft device system (10) having display a graphical user interface for a user of the portable electronic device as claimed by the applicant.

Furthermore, Freeman teaches a locating portable computer as primary deterrent to a theft / loss / stolen which comprising a portable computer (112) having processor connects to a visual screen (217) / audio alarm [figs.1-2, page 5, lines 1-15, page 9, line 24 to page 10, line 4] and also authorization code / password, input data (216) to arm or disarm the theft system (112) [page 5, lines 6-15, page 10, lines 12-27].

Therefore, it would have been obvious to one having ordinary skill in the art to have the teaching of Freeman in the system of Lee for storing theft parameter inputs & providing multi alarm devices include graphical image signals to the users as sensing the theft status.

Regarding claims 10-12, Lee discloses the accelerometer (20) is attached to the laptop / cellular phone (12) for monitoring the theft condition [fig.2, col.1, line 59 to col.2, line14 and col.4, lines 10-32];

- the cellular phone (12) having alarm device (24) to activate an alarm signal (24) when the frequency of the acceleration signal **meets a predetermined criteria** as providing audible signal for detecting theft condition by the motion sensor (20) and a controller in a form of processor (22) connects with **filtering circuit (36)** to determine the

frequencies of the acceleration signal provided by accelerometer (20) and to filter out any frequency indicate of movement of the laptop (12) as protecting the objects from thefts [figs. 2-4, col.2, lines 5-14, lines 27-56 and col.4, lines 18-67];

- the controller / processor (22) may recognize the theft conditions by determine & analysis the frequency of the acceleration signal output as the frequency in the specified ranges between [0.5 to 2 Hz] by the filtering circuit (36), the alarm device (24) will be activated ONLY when the analysis of the acceleration reveals a possible theft event [figs. 2-4, col.4, line 33 to col.5, line 14, col.7, lines 3-10 and col.10, lines 27-47].

Regarding claims 14 & 18, Lee discloses the controller / processor (22) may recognize the theft conditions by determine & analysis the frequency of the acceleration signal output as the frequency in the specified ranges between [0.5 to 2 Hz] by the filtering circuit (36), the alarm device (24) will be activated ONLY when the analysis of the acceleration reveals a possible theft event [figs. 2-4, col.4, line 33 to col.5, line 14, col.7, lines 3-10 and col.10, lines 27-47].

Regarding claims 19-20 & 24, Lee discloses a method of protecting a portable communication device as a laptop computer or cellular phone (12) against theft [figs.1-4, col.1, line 59 to col.2, line 14 and col.4, lines 10-32] comprising:

- a motion sensor in a form of accelerometer (20) is attached to the laptop / cellular phone (12) for monitoring the theft condition [fig.2, col.1, line 59 to col.2, line14 and col.4, lines 10-32];

- the cellular phone (12) having an output signal to activate an alarm signal (24) when the frequency of the acceleration signal **meets a predetermined criteria** and for providing audible signal as detecting by the motion sensor (20) and a controller in a form of processor (22) connects with **filtering circuit (36)** to determine / examine the frequencies of the acceleration signal provided by accelerometer (20) and to filter out any frequency indicate of movement of the laptop (12) as protecting the objects from thefts [figs. 2-4, col.2, lines 5-14, lines 27-56 and col.4, lines 18-67];
- the controller / processor (22) may recognize the theft conditions by determine & analysis the frequency of the acceleration signal output as the frequency in the specified ranges between [0.5 to 2 Hz] by the filtering circuit (36), **the alarm device (24), monitor screen (fig.1)** will be activated ONLY when the analysis of the acceleration reveals a possible theft event [figs. 2-4, col.4, line 33 to col.5, line 14, col.7, lines 3-10 and col.10, lines 27-47] without mention the theft device system (10) having display a graphical user interface for a user of the portable electronic device as claimed by the applicant.

Furthermore, Freeman teaches a locating portable computer as primary deterrent to a theft / loss / stolen which comprising a portable computer (112) having processor connects to a visual screen (217) / audio alarm [figs.1-2, page 5, lines 1-15, page 9, line 24 to page 10, line 4] and also authorization code / password, input data (216) to arm or disarm the theft system (112) [page 5, lines 6-15, page 10, lines 12-27].

Therefore, it would have been obvious to one having ordinary skill in the art to utilize the teaching of Freeman in the system of Lee for storing theft parameter inputs &

providing multi alarm devices include graphical image signals to the users as monitoring the theft status.

Regarding claims 21-23, The reference of Lee does not specifically mention the controller unit connects with alarm device as visual signals as claimed by the applicant because that is old and well known in the art.

Furthermore, Freeman teaches a locating portable computer as primary deterrent to a theft / loss / stolen which comprising a portable computer (112) having processor connects to a visual screen (217) / audio alarm [figs.1-2, page 5, lines 1-15, page 9, line 24 to page 10, line 4] and also authorization code / password, input data (216) to arm or disarm the theft system (112) [page 5, lines 6-15, page 10, lines 12-27].

Therefore, it would have been obvious to one having ordinary skill in the art to employ the teaching of Freeman in the system of Lee for providing multi alarm devices include graphical image signals to the users as detecting the theft status.

Regarding claims 34-42, Freeman teaches the locating portable computer as primary deterrent to a theft / loss / stolen which comprising a portable computer (112) having processor connects to a visual screen (217) / audio alarm [figs.1-2, page 5, lines 1-15, page 9, line 24 to page 10, line 4] and also authorization code / password, input data (216) to arm or disarm the theft system (112) [page 5, lines 6-15, page 10, lines 12-27].

4. Claims 5 & 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al. (U.S. 6,970,095) in view of Freeman WO 00/39602 further in view of D'Angelo et al. (U.S. 6,133,830).

Regarding claims 5 & 13, The references of Lee & Freeman do not specifically mention the controller unit having a sleep mode as claimed by the applicant.

D'Angelo teaches a sleep mode function which is controlled by a microprocessors (27,32) for reducing power supply requirement [col.8, lines 49-53].

Therefore, it would have been obvious to one having ordinary skill in the art to use the teaching of Freeman & D'Angelo includes a sleep mode feature in the system of Lee for controlling & saving the power supply and extending battery life.

Arguments & Responses

5. Applicant's argument filed on May 11, 2006 have been fully considered but they are moot in view of the new ground(s) of rejection.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung T. Nguyen whose telephone number is (571) 272-2982. The examiner can normally be reached on Monday to Friday from 9:00 am to 6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Horabik, Michael can be reached on (571) 272-3068. The fax phone number for this Group is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

HUNG NGUYEN
PRIMARY EXAMINER

Examiner: Hung T. Nguyen

Date: May 15, 2006